

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|------------------------------------|---|------------------------------|
| UNITED REFINING COMPANY |) | |
| INCENTIVE SAVINGS PLAN FOR |) | |
| HOURLY EMPLOYEES and ROBERT |) | |
| KAEMMERER, in his capacity as Plan |) | |
| Administrator, |) | |
| Plaintiffs, |) | Civil Action No. 1:12-cv-238 |
| |) | Judge Nora Barry Fischer |
| v. |) | |
| |) | |
| DALLAS Q. MORRISON, an individual, |) | |
| and MARK WILLIAM PRATT, an |) | |
| individual, |) | |
| Defendants. |) | |

ORDER OF COURT

Plaintiffs' interpleader action was received by the Clerk of Court on October 2, 2012 (ECF No. 1). Plaintiffs' motion for costs and attorney's fees (ECF No. 10), as supplemented by declaration (ECF No. 29), was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1) and Rule 72 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (ECF No. 41), filed on December 23, 2013, recommended that the motion be granted in part and denied in part as follows: Plaintiffs' attorney's fees for Attorney Christopher J. Rillo should be awarded in the amount of \$2,725.00; Plaintiffs' attorney's fees for their local counsel MacDonald Illig Jones & Britton LLP, should be awarded in the amount of \$2,952.00; costs should be reimbursed in the amount of \$399.75; and Plaintiffs' request for fees and costs in excess of these amounts should be denied.

The parties were allowed fourteen (14) days from the date of service to file objections, and no objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 10th day of January, 2014;

IT IS HEREBY ORDERED that Plaintiffs' motion for costs and attorney's fees (ECF No. 10), as supplemented by declaration (ECF No. 29), is granted in part and denied in part as

follows: Plaintiffs' attorney's fees for Attorney Christopher J. Rillo is GRANTED in the amount of \$2,725.00; Plaintiffs' attorney's fees for their local counsel MacDonald Illig Jones & Britton LLP, is GRANTED in the amount of \$2,952.00; Plaintiffs' costs are GRANTED in the amount of \$399.75; and Plaintiffs' request for fees and costs in excess of these amounts is DENIED.

The Report and Recommendation (ECF No. 41) of Magistrate Judge Baxter, filed on December 23, 2013, is adopted as the opinion of the Court.

s/Nora Barry Fischer

Nora Barry Fischer
United States District Judge

cc/ecf: All counsel of record.